

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 15, 1998

DIVISION ONE

(Not for Publication)

B111445 Gateway Chevrolet Motor Co., Inc., et al.
v.
La Mirada Redevelopment Agency et al.

The judgment of dismissal is affirmed. Defendants are awarded costs and fees on appeal. The trial court is to determine a reasonable award of attorney fees on appeal.

Ortega, J.

We concur: Spencer, P.J.
Masterson, J.

B108071 People (Not for Publication)
v.
Leon and Gutierrez

With respect to defendant Leon, we affirm the judgment.
With respect to defendant Gutierrez, we reverse the judgment and remand for a new trial on counts I and III. We direct the clerk to transmit a copy of this opinion to the State Bar. (Bus. & Prof. Code, § 6086.7, subd. (b).)

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Dunn, J. (Assigned)

DIVISION ONE (Continued)

B107742 People (Certified for Partial Publication)
v.
Jefflo

We reverse and remand for retrial of the two charged 1983 assault with a firearm convictions in Los Angeles Superior Court Case Number A903297. The prosecution is to present additional evidence at a retrial of those prior conviction allegations. (*People v. Monge, supra*, 16 Cal.4th at p. 845.) We also remand for resentencing so that the trial court may exercise its discretion whether to impose consecutive or concurrent sentences on appellant's current offenses. In all other respects, the judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B112342 Greer et al. (Not for Publication)
v.
City of Santa Clarita

The orders appealed from are affirmed.

Ortega, J.

We concur: Spencer, P.J.
Dunn, J. (Assigned)

B097188 Daley (Not for Publication)
v.
Azafrani

We affirm the judgment and award defendant costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
Masterson, J.

DIVISION THREE

B108722 People (Not for Publication)
B112484 v.
John Harold Maguire

The matter is remanded to the superior court to provide appellant with the opportunity to withdraw his pleas if he so elects by filing an appropriate motion within 30 days of the finality of this opinion. If no such motion is filed by appellant, the trial court is directed to reinstate the original judgment and that reinstated judgment shall stand affirmed. The petition for writ of habeas corpus is granted.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B114615 People (Not for Publication)
v.
Fernando S. Aceves

The Court:

The judgment is affirmed.

Klein, P.J., Croskey, J., Aldrich, J.

B108628 People (Not for Publication)
v.
Dolores Best

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION THREE (Continued)

B103995 People (Not for Publication)

V.

Blessing Efuyi Uwagaboe

The judgment is affirmed. The trial court is directed to prepare an abstract of judgment, amended in accordance with this opinion, and forward a copy thereof to the Department of Corrections.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

B111541 People (Not for Publication)

V.

Elisha Rayford, Jr.

The Court:

The judgment is affirmed. The trial court is directed to prepare and forward to the Department of Corrections an amended abstract of judgment which correctly reflects the trial court's oral pronouncement of judgment of nine years in state prison for attempted murder (§§ 664/187) and a consecutive enhancement of five years in state prison for the personal infliction of great bodily injury under circumstances involving domestic violence (§ 12022.7, subd. (d)).

Klein, P.J., Croskey, J., Aldrich, J.

B106134 People (Not for Publication)

V.

Hua Chan

The judgment is affirmed.

Klein, P.J.

We concur: Aldrich, J.

Goodman, J. (Assigned)

May 15, 1998-Continued

DIVISION THREE (Continued)

B110091 People (Not for Publication)

V.

Edgar Omar Arevalo

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

B109064 People (Not for Publication)

V.

Stanley Deacon Alexander

The judgment (order granting probation) is affirmed.

Klein, P.J.

We concur: Croskey, J.

Aldrich, J.

B112553 Mike Davidov Company

V.

Steven Issod, et al.

Filed order dismissing appeal on court's own motion for lack of final judgment.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., and Jim Guzman, Deputy Clerk.

Each of the following:

B119380 Universal City Nissan v. Magdamo
B111679 People v. DeLaTorre
B112470 People v. Meza
B108551 People v. Phillips
B111597 People v. Vargas
B108165 Silver v. Senneke
B112748 2815-9 West Olive Ave Ltd v. Wall
B113305 People v. Padilla
B109024 People v. Rodriguez
B115505 People v. Kenneth W.
B110629 People v. Renteria
B110349 People v. Travion C.
B114339 Stasz v. Gross, Gross & Simon

Argument waived, cause submitted.

B120257 Manuel C.
 v.
 S.C.L.A.
 (D.C.F.S., r.p.i.)

Merits:

Argued by Patrick D. Goodman for real party in interest and waiver of oral argument by petitioner. Cause submitted.

DIVISION FOUR (Continued)

B119452 Zamudio
 v.
 S.C.L.A.
 (People, r.p.i.)

Merits:

Argued by Terri Towery for petitioner and by Brentford Ferreira for real party in interest. Cause submitted.

B099760 People
 v.
 Ellis

Merits:

Argued by Armando M. Galvan for appellant and by Sunnie S. Lee for respondent. Cause submitted.

B119583 Lester Electrical of Nebraska
 v.
 S.C.L.A.
 (Anthony, r.p.i.)

Merits:

Argued by Patrick C. Quinlivan for petitioner and by Ronald C. Stock for real party in interest. Cause submitted.

B101455 Furla
 v.
 Jon Douglas

Merits:

Argued by John S. Gleason for appellant and by Roy G. Weatherup and Russell Iungerich for respondents. Cause submitted.

DIVISION FOUR (Continued)

B099397 Estate of Luring
 v.
 Butler

Merits:

Argued by Johnny M. Butler for appellant and by Norman J. White for respondent. Cause submitted.

Court recessed.

The Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Cooper, J. (Assigned), and Jim Guzman, Deputy Clerk.

B110953 People v. Moreno
B116353 In re Moreno on Habeas Corpus

Merits:

Argued by Ralph H. Goldsen for appellant and by Kyle S. Brodie for respondent. Cause submitted.

B099918 DeCuir
 v.
 County of Los Angeles

Merits:

Argued by Edward L. Xanders for appellants and by Stephanie M. Davis for respondent. Cause submitted.

DIVISION FOUR (Continued)

B107616 People
 v.
 Tirpak

Merits:
Argued by Ralph H. Goldsen for appellant and by David L. Polsky for respondent. Cause submitted.

B089568 Michaelides
 v.
 Roussos

Merits:
Argued by David R. Haberbusch for appellant and by Michael Eidel for respondent. Cause submitted.

B103299 People
 v.
 Myles

Merits:
Argued by Michael P. O'Connor for appellant and by Juliet H. Swoboda for respondent. Cause submitted.

B112561 Mountain Meadows Master Homeowners
 v.
 Tasch

Merits:
Argued by Janice R. Hugener for appellant and by Katherine Butts Warwick for respondent. Cause submitted.

DIVISION FOUR (Continued)

B113161 Twilight Two LTD
v.
Foshan Universe Furniture

Merits:

Argued by James R. Flatebo for appellants and by Robert M Ungar for respondent. Cause submitted.

Court adjourned.

DIVISION FIVE

B109290 Nash (Not for Publication)
v.
Huntington Memorial Hospital et al.

For the reasons set forth above, the judgment is affirmed. Respondent Caton to recover his costs on appeal.

Godoy Perez, J.

We concur: Grignon, Acting P.J.
Armstrong, J.

B112738 McClain (Not for Publication)
v.
Timperio et al.

The appeal is dismissed. Respondents to recover their costs on appeal.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION FIVE (Continued)

B119959 In re Demetria M., a minor (Not for Publication)
 Jamala M.
 v.
 Superior Court, Los Angeles County
 (Department of Children and Family Services, County of Los Angeles,
 r.p.i.)

The petition for extraordinary relief is denied.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION SIX

B116185 The People, ex rel, City of Santa Barbara
 v.
 Santa Barbara County Superior Court
 Gerlach, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No
change in the judgment.)

B111324 People
 v.
 Ering

Filed order modifying opinion. Petition for rehearing is denied. (No
change in the judgment.)